

1 DEPARTMENT OF POLICE ACCOUNTABILITY

2 DPA CASE NO.: 0164-16

3
4 INTERVIEW OF: [REDACTED]

5 DATE OF INTERVIEW: 05/06/2016

6
7
8 INV. WECHTER: Today's date is May 6th, 2016, and it's
9 2:42 p.m. This is OCC Investigator Wechter conducting an
10 interview in connection with OCC investigation 164-16. I'm
11 speaking in person with [REDACTED] at her home at [REDACTED]
12 Street. And [REDACTED], are you aware this is being recorded?

13 [REDACTED]: Yes, I'm aware it's being recorded.

14 INV. WECHTER: And for the record, you're also recording
15 this?

16 [REDACTED]: Yes. For the record, I'm also recording.

17 INV. WECHTER: Okay. So, as I said when I talked to you
18 on the phone, we're investigating the shooting that took place
19 on Shotwell Street on April 7th, and I understand that you saw
20 or heard some part of that.

21 [REDACTED]: I did.

22 INV. WECHTER: So, I'd like to start at the very
23 beginning and tell me what you saw and heard.

24 [REDACTED]: So, I don't remember the exact time, but it was
25 around ten in the morning. I left my house, I had been working
26 at home for a bit. My office is not far from here, I walk to my
27 office, it's in the [REDACTED] building, across the [unintelligible]
28 building on [REDACTED]. And I walked down the street, and I

1 remember as I was right around...I saw police.

2 I hit the corner, as I always do. I'll get down to the
3 corner of 19th and Shotwell, and that's where I turn to head
4 east towards my office. And I remember sort of seeing police
5 cars, but not thinking that much of it initially, because
6 there'd been...it was a homeless encampment here, and so sometimes
7 the police were there, and I didn't think much of it. I turned
8 the corner and very shortly thereafter, I cannot, again, I did
9 not count the seconds, because I was on my way to work. I heard
10 several shots and you know, it's funny, because I wouldn't have
11 known they were shots normally. Like I would have thought maybe
12 they were firecrackers, except that just a few weeks before, I
13 had been walking home in this neighborhood, about 10:30, 11:00
14 at night with a friend, who's a former Broncs defender, and
15 there were shots fired that night, and I didn't recognize them.
16 He goes, "Those were bullets, those were gunshots." I was like,
17 "Uh, my God. Really?" So, now I knew what they sounded like.
18 That's why I knew for sure that what I was hearing. There was
19 another guy walking along. I don't know who he was, and I turned
20 to him and I said, "Those were gunshots." And he looked at me,
21 "Really? Maybe I shouldn't take this block to work anymore." I
22 have no idea who he was.

23 I looked, sort of back, and then I looked forward, and I
24 saw there were, there's a fire house down here, and I saw that
25 the firemen started to walk towards that area. I thought, "Well,
26 if they're walking back, I'm going to walk back." And when I got
27 back there, I saw a man on the ground, who I recognized as one
28 of the homeless people, because I had seen homeless people and I

1 recognized this particular guy. I saw him on the ground, and
2 there was a cop giving him CPR. It didn't look good, the guy
3 looked, I looked at his face, he didn't look good.

4 I saw, there was a woman there from I think, the homeless
5 outreach program, and I said, "What happened?" And she said the
6 police shot him, he had a knife, and I stood there, kind of in
7 shock. I think, just from my own perspective, I was slightly
8 taken aback that they had fired with civilians like me so close.
9 I mean, I had this moment of like, "Uh, my God." Like I was
10 within just a few seconds of being potentially right there,
11 because when I looked down the street where the guy was lying,
12 it was only, I don't know, maybe 20 feet from where I had been
13 walking. I don't know much about guns though, but it made me
14 nervous.

15 INV. WECHTER: Uh-huh.

16 [REDACTED]: And then, people started to pour out onto the
17 street from the building across the way, and it was just a very
18 weird thing, and I watched. I did see a knife on the ground. I
19 saw a large kitchen knife on the ground, on the sidewalk. And
20 then, I waited with all these people, everybody was kind of
21 milling about, and eventually, an ambulance came, and I watched
22 as they took him away, but that's mostly what I saw and heard.

23 INV. WECHTER: So, you live on the west side of the
24 street. Were you walking on the west side of Shotwell or the
25 east side of Shotwell?

26 [REDACTED]: I walked down there. So, I would walk down here
27 and cross over to the east side.

28 INV. WECHTER: To the east side?

1 [REDACTED]: Yes.

2 INV. WECHTER: And so, were you on the north side, the
3 south side of 19th Street, or the north side. The south side is
4 the one with the fire training [unintelligible].

5 [REDACTED]: Yeah. So, I was on this side. So, I was on the
6 south side of the street. I was on the other side of the street.
7 I mean, thank God, I had not crossed over that way.

8 INV. WECHTER: And so you say...

9 [REDACTED]: You know, actually, I have to say, my memory is
10 a little jarred here, because sometimes I do cross over, and now
11 I suddenly remember talking to that man on the other side of the
12 street. So, now it's slightly like, it feels like at some point,
13 I did cross over to that side of the street in that process, and
14 I don't know where I did it. So, let's say that I'm unclear
15 about where I crossed over to the north side of the street, but
16 at some point I did.

17 INV. WECHTER: And the [REDACTED] building is on [REDACTED]. Is
18 that right?

19 [REDACTED]: Yeah.

20 INV. WECHTER: South of 19th?

21 [REDACTED]: That would be, so yeah. I have to go north to
22 get to KQED, so I have to cross over at some point. So, you
23 know, it's distinctly possible that I did it. Like I kind of did
24 a (snaps fingers) that kind of a cross, catty-corner at that
25 point or something like that. Because now, I'm like remembering,
26 yeah, I was talking to that guy on the other side of the street,
27 so I must have crossed over.

28 INV. WECHTER: So, do you recall where you were when you

1 first noticed the police vehicles?

2 [REDACTED]: Yeah. I was pretty close to the corner by then,
3 when I noticed the police vehicles.

4 INV. WECHTER: So, when you say close to the corner?

5 [REDACTED]: I'm sorry, close to the corner of 19th and
6 Shotwell, when I noticed the police vehicles.

7 INV. WECHTER: And was it the southwest corner?

8 [REDACTED]: I would have been, when I first noticed the
9 police, I was on the...sorry, I'm just like remembering where--the
10 south, I'm sorry, the north. I probably would have been on,
11 yeah. No, I was definitely on north, like towards the west side,
12 so I would have crossed over in the process and seen the police.
13 So, it was right around there. It was like when I got close to
14 the corner, like I didn't really notice them, and I got close to
15 the corner, and they were there. I think I saw them arriving. I
16 didn't think much of it, because they were here around the
17 homeless encampment a lot.

18 INV. WECHTER: So, do you think about when you were on
19 the north side of 19th, by that building that used to have a
20 garage of some sort, because there's sliding doors. I can
21 actually show you a photo of it.

22 [REDACTED]: Yeah, if you show me a photo, that would be
23 helpful, because it is, it was like, it happened rather quickly.

24 INV. WECHTER: Uh-huh.

25 [REDACTED]: And so, I'm somewhat...

26 INV. WECHTER: Okay.

27 [REDACTED]: All right.

28 INV. WECHTER: So, this is looking south, along the east

1 side of 19th Street.

2 [REDACTED]: Yeah.

3 INV. WECHTER: So, there's that corner building there
4 with the rollup doors.

5 [REDACTED]: Uh-huh.

6 INV. WECHTER: The [REDACTED] building on the northeast
7 corner, and the fire department facility.

8 [REDACTED]: Yeah. All right. So, my house is here. Right?

9 INV. WECHTER: Yes.

10 [REDACTED]: I would come down here, cross over. And so, I
11 would have noticed them around right here.

12 INV. WECHTER: Okay. So, you're pointing to the
13 crosswalk across Shotwell Street.

14 [REDACTED]: Yeah.

15 INV. WECHTER: On the south side of 19th.

16 [REDACTED]: Yeah, yeah.

17 INV. WECHTER: Okay. So, when you noticed them, could
18 you see what was happening?

19 [REDACTED]: I could not see anything that was happening at
20 that point. Yeah, I didn't notice anything, I just kept walking.
21 Sometimes I would know what the police were doing, but I was
22 actually in a hurry that morning, and so much for hurry. Then,
23 when that happened, I stopped hurrying. But I was in a hurry, so
24 I just was not going to go check it out. I didn't think anything
25 of it.

26 INV. WECHTER: Uh-huh. And when you looked north on
27 Shotwell, do you recall seeing anyone else on either side of the
28 sidewalk?

1 [REDACTED]: I saw a man, another man who, when I was also
2 walking to work.

3 INV. WECHTER: Walking in the same direction you were?

4 [REDACTED]: Yeah. He was walking, he was coming from here,
5 and he and I sort of met up over here, so past there.

6 INV. WECHTER: Okay. So, you're pointing to the
7 northeast corner of Shotwell.

8 [REDACTED]: Yeah. We met up, it was further down, so I was
9 further down. I didn't meet up with him, but I know he came by.

10 INV. WECHTER: Okay. But do you remember seeing anyone
11 on either side of Shotwell Street north of 19th Street?

12 [REDACTED]: Other than the homeless people?

13 INV. WECHTER: Yes.

14 [REDACTED]: Who are always down there and the police cars,
15 I really don't remember seeing anyone.

16 INV. WECHTER: And did you hear any voices before you
17 heard the shots?

18 [REDACTED]: No.

19 INV. WECHTER: And tell me about the shots, what they
20 sounded like, the duration.

21 [REDACTED]: They were quick.

22 INV. WECHTER: Quick?

23 [REDACTED]: They were very quick, rapid-fire shots. That I
24 remember very distinctly, which is why they almost could have
25 been mistaken for firecrackers, because you know the way
26 firecrackers will go off, ba-ba-ba-ba? You know? Like I said, it
27 was only because, just like a month before, I had realized like,
28 "Uh, that sounds, those are gunshots. That's what gunshots sound

1 | like."

2 | INV. WECHTER: Did they all sound the same, or did any
3 | of them sound at all different?

4 | [REDACTED]: That's actually a hard question to answer. It
5 | was just like these popping sounds that were in rapid-fire
6 | succession. And that's all I can say for sure.

7 | INV. WECHTER: And when you heard them, do you have a
8 | sense of where you were?

9 | [REDACTED]: Yeah. I was further. I was over past where that
10 | building is, behind that building.

11 | INV. WECHTER: But you were still on the south side of
12 | 19th?

13 | [REDACTED]: Yes, I was.

14 | INV. WECHTER: So, then how did you...

15 | [REDACTED]: I'm sorry. No, I was on the...I'm sorry, I take
16 | it back. I was on the...I get confused for some reason. I was on
17 | the, that's the north side. I'm sorry, I was on the north side.

18 | INV. WECHTER: So, where had you crossed to the north
19 | side?

20 | [REDACTED]: Now, that's what I can't remember if I did a
21 | direct cross or if I went catty-corner, which is something I
22 | might do. Like I could have gone like that, because I have
23 | different ways of doing it every morning, and I don't remember
24 | what I did that morning.

25 | INV. WECHTER: But, let me be clear that when you heard
26 | the shots, you were out of sight?

27 | [REDACTED]: I was, I was.

28 | INV. WECHTER: On Shotwell Street, you could not see

1 south of Shotwell?

2 [REDACTED]: I could no longer see anything.

3 INV. WECHTER: And do you have a sense of how far you
4 were from the corner of the building?

5 [REDACTED]: Yeah, I do. I was probably about, by that
6 point, a quarter of the way down that block.

7 INV. WECHTER: Quarter of the block?

8 [REDACTED]: Yeah, like about a quarter of the block.

9 INV. WECHTER: And so, then you said you saw the
10 firefighters across, over on the [unintelligible]?

11 [REDACTED]: Yeah. I looked over at them. I remember like,
12 because for a minute, I kept, initially, I kept walking, talking
13 to this guy, and I remember we were still walking. And then I
14 looked over at the firemen, and saw they were walking towards
15 it, and I was like, "I'm going to go see what's going on." I
16 don't know why, but for some reason, I felt like if the firemen
17 were walking over there, it was okay.

18 INV. WECHTER: And then you got to the corner, and what
19 did you do after you rounded the corner of the [REDACTED] building?

20 [REDACTED]: Over there? I was just walking, you know?

21 INV. WECHTER: Did you walk south on 19th?

22 [REDACTED]: You mean once I came back?

23 INV. WECHTER: Yes.

24 [REDACTED]: When I came back, I literally, there were like
25 people gathered around, it was still really early. So, I stood
26 here, like right on, that's the east, northeast corner. I stood
27 on that corner and just stared down. And that I will never
28 forget, because I just, like I said, it was very [drawing],

1 | because I saw the man that's now been identified as Luis.

2 | INV. WECHTER: Luis Gongora.

3 | [REDACTED]: I saw him lying on the ground.

4 | INV. WECHTER: And did you move any closer than that
5 | corner?

6 | [REDACTED]: No. No, I really didn't.

7 | INV. WECHTER: And you pointed to this area, just north
8 | of the telephone pole.

9 | [REDACTED]: Yeah.

10 | INV. WECHTER: On the east side of Shotwell, and you
11 | said there were people there. What do you remember about them?

12 | [REDACTED]: The only person I definitely remember is there
13 | was an outreach worker, a woman.

14 | INV. WECHTER: Uh-huh. And where was she, if you recall?

15 | [REDACTED]: I'm trying to remember where I first saw her.

16 | She was like, it's so hard. She was sort of frantic, [REDACTED]

17 | [REDACTED] I sort of remember her looked to be maybe in her 40s or
18 | something. I'm just trying to remember that day. This is what
19 | they say about memory. Right? It's this kind of struggle to
20 | recall at a moment when you weren't paying careful attention.

21 | INV. WECHTER: Some people find it helpful if you just
22 | try and place yourself back there and think about things you do
23 | remember.

24 | [REDACTED]: Yeah.

25 | INV. WECHTER: To try and visually put yourself back in
26 | that location, and think about what you did notice, what you
27 | were aware of, and that may help.

28 | [REDACTED]: Yeah. Because I remember just like, see, I was

1 standing there and I was looking down, and I was then, of
2 course, trying to figure out what happened, because I had no
3 idea what happened. The police were there, so I felt whatever
4 happened seemed to be over, so I didn't feel threatened at that
5 moment. And then, there were people gathering out here. There
6 were, it seemed like there were more people coming from over
7 here.

8 INV. WECHTER: And you're pointing to the west side.

9 [REDACTED]: Yeah.

10 INV. WECHTER: Of Shotwell.

11 [REDACTED]: I saw people pulling in this way, and I think
12 they had just, they were starting to put up, you know...

13 INV. WECHTER: Tape? Yellow tape?

14 [REDACTED]: Tape, yeah. They were starting to put up yellow
15 tape.

16 INV. WECHTER: And for the record, you were pointing to
17 the area just north of 19th Street, on the west side of
18 Shotwell.

19 [REDACTED]: Yeah.

20 INV. WECHTER: But you think the outreach worker was on
21 the east side of Shotwell?

22 [REDACTED]: I think the first time I saw her, she was here,
23 yes.

24 INV. WECHTER: Close to you?

25 [REDACTED]: And then, she was walking around. She was close
26 to me over here, because I was, you know, I was doing the, "What
27 happened? What happened?" I was like asking around, because
28 people started to gather, and I was like, "What happened? What

1 | happened?" And she said, she's the one who said, "He pulled the
2 | knife on the cops and they shot him."

3 | INV. WECHTER: Did she, do you recall that she used
4 | those words, "He pulled the knife on the cops?"

5 | [REDACTED]: Yes, she did use those words.

6 | INV. WECHTER: What else did she say?

7 | [REDACTED]: She gave me the impression that she had seen
8 | it.

9 | INV. WECHTER: Do you remember her saying anything else?

10 | [REDACTED]: No. No, I don't. I think she may have said
11 | other things, but that's what stuck in my mind about what she
12 | said.

13 | INV. WECHTER: And what made you think she was from the
14 | homeless outreach program?

15 | [REDACTED]: She told me she was, and she was wearing
16 | something around her neck, a badge or something.

17 | INV. WECHTER: Like an ID card?

18 | [REDACTED]: Yeah. Yeah, some kind of ID card.

19 | INV. WECHTER: Do you remember anything about her mood
20 | or her manner?

21 | [REDACTED]: She seemed a bit frantic and a bit a forceful,
22 | because police started coming out looking for witnesses, and she
23 | was kind of pushing her way towards the police. So, she was kind
24 | of being, she was sort of like, "Yeah, you know, I'm
25 | [unintelligible]." And they were sort of canvassing. They were,
26 | I guess, canvassing the crowd or something.

27 | INV. WECHTER: When you first rounded the corner.

28 | [REDACTED]: Uh-huh?

1 INV. WECHTER: Did you see anyone else on the east side
2 of Shotwell, north of 19th? Between you and where the man was
3 lying on the sidewalk?

4 [REDACTED]: No, no I didn't.

5 INV. WECHTER: And you said you saw a knife. What do you
6 remember about where that was?

7 [REDACTED] I can tell you, because I have a picture.

8 INV. WECHTER: You do?

9 [REDACTED]: Yeah. Hang on. Let me get my phone, hold on. I
10 think it's in the other room. I'll be right back. (Temporarily
11 leaves room.) So, I took pictures, but by the time I took
12 pictures, I should just add—I did not take any pictures when I
13 was standing here, because I was still in too much shock. It
14 took me a while to think like, "Uh, maybe I want to take some
15 pictures," you know? And by then, I had moved over to where this
16 crowd gathered here, and I wanted...

17 INV. WECHTER: You pointed to the west sidewalk of
18 Shotwell Street.

19 [REDACTED]: Yeah.

20 INV. WECHTER: Further north from the corner.

21 [REDACTED]: Yep. And initially, he did, clearly there was a
22 knife involved, because I saw the knife, but I did not,
23 unfortunately, or fortunately, see the actual moment. Let me
24 just pull my camera up here and find those pictures from that
25 day.

26 INV. WECHTER: It was April 7th, if you need to find it
27 by date.

28 [REDACTED]: That's helpful, yeah, April 7th. And here we

1 are, April 7th. Yeah. All right. Yeah, this is a whole bunch of
2 pictures I took that morning. So, I guess...like you can't see
3 much in this one, but that's when I first walked over.

4 INV. WECHTER: Uh-huh.

5 [REDACTED]: So, you can see they're back there with him.
6 Yeah.

7 INV. WECHTER: Okay. I can see. It looks like some
8 emergency personnel and [unintelligible]. Okay.

9 [REDACTED]: Yeah. Anyway, it was still a cop, see? It was
10 all cops there. The emergency people hadn't even arrived yet.

11 INV. WECHTER: Uh-huh.

12 [REDACTED]: When I first got there. So yeah, I walked back
13 over, did that. I guess I did take pictures there, what do you
14 know? And then, yeah. That's when the police started to come and
15 keep you from going any further.

16 INV. WECHTER: Uh-huh.

17 [REDACTED]: Because like I say, and then I moved over to
18 the other side when they started to put up the police tape. You
19 can sort of see, now they're all gathering. They all came.
20 They're putting him in. I just stood there. There is a picture,
21 where is it? If I can find that picture of the knife, which I
22 just found the other day again. Which I was like, "Uh, God. I
23 forgot I took that picture." Yeah. So, that's the picture I have
24 that actually shows the knife.

25 INV. WECHTER: Okay.

26 [REDACTED]: It doesn't mean much, because I don't think
27 it's in dispute that he had a knife.

28 INV. WECHTER: Uh-huh.

1 [REDACTED]: But it was lying on the ground at that point.
2 INV. WECHTER: And that's the location where you saw it.
3 So, it's right near the north side of the curb cut.
4 [REDACTED]: Uh-huh.
5 INV. WECHTER: Leading to the garage.
6 [REDACTED]: Yeah. I mean, you're welcome to any of these
7 pictures.
8 INV. WECHTER: Yeah, that would be great.
9 [REDACTED]: I'm happy to share them with you.
10 INV. WECHTER: Sure.
11 [REDACTED]: I don't have any fears about doing that, you
12 know, or, I mean if it's helpful to all of you to figure out
13 what actually happened. I don't know how helpful it is, but I'm
14 sure you've gotten many more details than me. But yeah, I mean
15 that's, that was later that night.
16 INV. WECHTER: And did you see the knife as soon as you
17 got to the corner? I mean, when did you first notice it? Let me
18 ask you that.
19 [REDACTED]: Probably around when I took that picture, which
20 was, it was pretty early on that I noticed the knife. I mean, it
21 wasn't, because she had mentioned...it was after I'd heard from
22 her there had been a knife involved.
23 INV. WECHTER: When you said, took the picture, the
24 photo that you took from the west side of 19th Street or the
25 photo that you took from the east side of the corner?
26 [REDACTED]: The photos I took from the west side. So, that
27 photo probably has a time...I mean, this has all got...it's a
28 different day. So, that first photo was taken at 10:08.

1 INV. WECHTER: 10:08, let me just see if I can see that.
2 That's a small screen, I might not be able to see that.
3 [REDACTED]: Yeah. If I send you copies, and you can look.
4 INV. WECHTER: Yeah, if you can send them.
5 [REDACTED]: This is, like I said, I'm trying to remember
6 the details of that day, and of course, it's hard to remember
7 all of the details. But the photos don't lie. So, you can see
8 that I definitely was kind of there. I came back around and they
9 were still, he had been shot, and they were standing over him.
10 INV. WECHTER: Yeah. Well, especially the photos that
11 you took from the west side of the street.
12 [REDACTED]: Uh-huh?
13 INV. WECHTER: If you could email those to me in the
14 largest size possible?
15 [REDACTED]: So, in their original form; I'm happy to do
16 that. You can just, you can do the advertisement: Taken on an
17 iPhone 6.
18 INV. WECHTER: I've got the iPhone 5.
19 [REDACTED]: Yeah, you know how they have these
20 advertisements now? Taken on an iPhone 6?
21 INV. WECHTER: Uh-huh.
22 [REDACTED]: Well, taken on an iPhone 6.
23 INV. WECHTER: I should mention the phone. Everything in
24 our investigation is confidential.
25 [REDACTED]: Yeah.
26 INV. WECHTER: So, it goes nowhere but our file.
27 [REDACTED]: Yeah. Well, that's helpful in some way.
28 INV. WECHTER: Yes, it definitely is helpful.

1 [REDACTED]: I mean I know at this point, I know there are
2 contradictory accounts of what happened, and I can't say that I,
3 other than just having heard the shots, I saw the guy around
4 there. You know, he was a familiar face. I mean I go down here
5 all the time.

6 INV. WECHTER: Uh-huh. Now, you mentioned that when you
7 rounded the corner, you saw police officers, but there were no
8 paramedics yet, on the scene.

9 [REDACTED]: No. No.

10 INV. WECHTER: Can you describe where you saw
11 Mr. Gongora?

12 [REDACTED]: When I arrived? When I first looked?

13 INV. WECHTER: When you turned the corner, yes.

14 [REDACTED]: And came back, you mean?

15 INV. WECHTER: Yes.

16 [REDACTED]: Yeah. I guess there. That's where I saw him, I
17 mean, they were over him. They were, I mean my first
18 recollection was, and I think you can see them back there. They
19 were leaning over him, there he is. You know? So, they are kind
20 of leaning. That's what I remember seeing. I remember seeing the
21 police leaning over him.

22 INV. WECHTER: Uh-huh.

23 [REDACTED]: And pumping his chest.

24 INV. WECHTER: Okay.

25 [REDACTED]: Or one officer, it was a police officer leaning
26 over him and pumping his chest.

27 INV. WECHTER: And that was the first time you saw the
28 police officers with him after you rounded the corner?

1 [REDACTED]: Yeah, that's right.

2 INV. WECHTER: Do you remember how many officers were
3 there at that point?

4 [REDACTED]: No, I don't remember how many officers were
5 there. It's hard for me to remember. Just like the thing that is
6 the most ingrained in my mind is seeing one officer in
7 particular, leaning over him and pumping his chest. So, I don't
8 know when that started.

9 INV. WECHTER: And could you see how he was positioned
10 on the sidewalk? In terms of where he was, in relation to the
11 building line, the curb, or any [unintelligible]?

12 [REDACTED]: Let me think about this, because this, I really
13 should. I mean, I remember his head being out towards the
14 street. So, he was more like, you know, he was, his body was
15 angling towards the street. That's what I remember.

16 INV. WECHTER: And did you see any officers between him
17 and where you were at the corner?

18 [REDACTED]: No, just this, this was the straight line. This
19 photo shows it. I mean, that's what was there. There was just me
20 taking this picture direct to them.

21 INV. WECHTER: And other than the woman from the
22 homeless outreach program, was there anyone else there you have
23 the sense of actually seeing what happened?

24 [REDACTED]: I walked over and there were other people
25 gathered around there, and I'm just trying to think if any of
26 them said to me that they had seen it. I just remember the
27 homeless outreach woman.

28 INV. WECHTER: And you mentioned in your description,

1 heavyset, 40s. What race was she?

2 [REDACTED]: She was white.

3 INV. WECHTER: Anything else you remember? Her hair?

4 [REDACTED]: It was longer. I have this feeling she was

5 wearing it back in a ponytail. Fair, it was fair, light brown

6 hair.

7 INV. WECHTER: And was the first place you saw her, you

8 pointed to the area near the telephone pole, over there?

9 [REDACTED]: Yeah.

10 INV. WECHTER: On the northeast corner?

11 [REDACTED]: Yeah, uh-huh. Yeah, that was the first time I

12 saw her.

13 INV. WECHTER: And as you had, did you notice her as you

14 were walking towards the corner?

15 [REDACTED]: No, I did not. I don't know where she came

16 from. She sort of appeared out of nowhere a little bit. Like she

17 didn't come from down here or anything, she was back here.

18 INV. WECHTER: And you mentioned that, you said the

19 firefighters started to move towards the corner?

20 [REDACTED]: Yeah.

21 INV. WECHTER: Did they turn the corner before you or

22 after you?

23 [REDACTED]: I got there first.

24 INV. WECHTER: Okay.

25 [REDACTED]: I got there first. I mean, I just started to

26 peek around the corner, because I wanted to see what was going

27 on.

28 INV. WECHTER: And you said you had recognized the man

1 on the sidewalk as one of the homeless people there.

2 [REDACTED]: Yeah.

3 INV. WECHTER: Had you ever had any contact with him at
4 all? Any interactions?

5 [REDACTED]: I'd seen him around. I'd just seen him. He had
6 a soccer ball, sometimes he'd kick a soccer ball, and I remember
7 seeing him kick soccer balls around the block. You know, just
8 like, I mean, like the homeless encampment had been there for a
9 while, and like anybody who lives in San Francisco, it's
10 depressing and uncomfortable to have homeless people living on
11 the sidewalk, but I've never previously felt threatened by them.

12 INV. WECHTER: And do you wear corrective lenses?

13 [REDACTED]: No. I should say yes. I am near-sighted. I do
14 have one contact in. I don't have particularly bad vision. I
15 have actually fairly good vision that's getting better, because
16 I'm near-sighted. So, as you get older, so I have a very slight
17 correction in my eyes.

18 INV. WECHTER: And were you wearing your contact lenses
19 that day?

20 [REDACTED]: Yes. Yes, I was.

21 INV. WECHTER: Okay. And I ask this of everyone. Had you
22 consumed any alcohol or any medications or drugs that day?

23 [REDACTED]: If you consider two cups of coffee medication?

24 INV. WECHTER: And did you have any health issues that
25 might have been distracting like a headache or a stomachache?

26 [REDACTED]: No.

27 INV. WECHTER: Or a cold?

28 [REDACTED]: No. Just the morning like, I was like, I'd been

1 working at home and I was just kind of rushing to get to the
2 office because I had stuff to do that day. So, I was just
3 thinking about work.

4 INV. WECHTER: And since then, have you heard of anyone
5 else in the area who saw anything?

6 [REDACTED]: You probably already talked to [REDACTED],
7 I'm sure. Yeah. So, she, I heard about her, and I actually had,
8 I interviewed several homeless people. I took my mic out and
9 just interviewed them and got their names. You probably talked
10 to most of them, I'm guessing, but I did that just because, I
11 don't know what else to do, other than hold the mic up. So, I
12 walked down and I started to talk to the homeless people and
13 asked them what they had seen, and got their various accounts of
14 what they had seen that day.

15 INV. WECHTER: Had anyone told you that they had seen
16 any part of the shooting?

17 [REDACTED]: Uh, yeah. Uh, yeah. I talked to a couple, who
18 most definitely said they saw.

19 INV. WECHTER: Was that, were those individuals, who had
20 been identified in the press accounts [unintelligible]?

21 [REDACTED]: I don't know if all of them were. One of them
22 was, one of them was a [REDACTED], who I think, has been
23 identified. But there were a couple of other people I talked to.
24 I don't know if I've seen them identified in the press.

25 INV. WECHTER: Uh-huh. And did they give you their
26 names?

27 [REDACTED]: Uh-huh, of course.

28 INV. WECHTER: Okay.

1 [REDACTED]: I always ask somebody's name.
2 INV. WECHTER: Sometimes, people want to remain
3 anonymous.
4 [REDACTED]: Yeah. I'm really good at getting people to
5 talk.
6 INV. WECHTER: I would assume so. Would you be willing
7 to share any of that with us, or is that...?
8 [REDACTED]: I don't know if I can. I'm okay giving you
9 these pictures, because I was not in any way, even thinking
10 about working at that moment, and I made these pretty much
11 public.
12 INV. WECHTER: Right.
13 [REDACTED]: So, I don't mind giving you the pictures, but I
14 think I'm uncomfortable. I'm happy to pull the names.
15 INV. WECHTER: No. I understand the [unintelligible] of
16 laws and [unintelligible] issues.
17 [REDACTED]: Yeah. I'm happy to give you the names.
18 INV. WECHTER: Okay.
19 [REDACTED]: Of people that I talked to. I don't have a
20 problem giving you the names. They gave them to me and I can
21 give you their names.
22 INV. WECHTER: Do you know the names now?
23 [REDACTED]: Not off the top of my head. I have to go back
24 and pull it.
25 INV. WECHTER: Okay.
26 [REDACTED]: And I'm happy to.
27 INV. WECHTER: Okay.
28 [REDACTED]: To call you up and read you the names that I

1 | had off of my audio.

2 | INV. WECHTER: Okay. Other than that, anyone else in the
3 | neighborhood who said anything about seeing it or knowing
4 | anything about it? Or even had any interactions with Mr. Gongora
5 | maybe sometime prior to this?

6 | [REDACTED]: No. I mean, I assume you've talked to the
7 | office workers who were across the way?

8 | INV. WECHTER: I can't really be specific.

9 | [REDACTED] Yeah.

10 | INV. WECHTER: As to who I've talked to.

11 | [REDACTED]: Yeah.

12 | INV. WECHTER: I have the police report.

13 | [REDACTED]: Yeah.

14 | INV. WECHTER: [Unintelligible] is identified in the
15 | police report, and I have all the print media, the online media
16 | that I'm aware of.

17 | [REDACTED]: Yeah. Because most of those people...shoot.
18 | That's interesting, my camera died. Dead battery? Is that what
19 | we're looking at here? Yeah. I mean, I don't, the people who I
20 | talked to, I mean, I talked to this Australian woman, and I
21 | don't have her name. And then a couple of other people who
22 | worked in that building, none of whom, seemed to have actually
23 | seen it. All of whom heard the shots, but they didn't see it.
24 | So, I wish I could be of more help to you on that front, but I
25 | think, you know, and I don't know who that worker was.

26 | INV. WECHTER: Uh-huh. Or is there anyone who talked
27 | about having had any contact with Mr. Gongora prior? Earlier
28 | that day, or days prior, weeks prior?

1 [REDACTED]: Just the homeless people, who knew him, who I
2 talked to about him. But yeah, only in my own context with him,
3 I did recognize him. I mean, he didn't...yeah. He was just one of
4 these guys. I mean I recognize most of them who live down there
5 regularly, I knew their faces. Because I would sometimes walk,
6 sometimes I'd take that route and cut, I'd cut over to 18th and
7 there's the Taco Shop, and I'll just cut up to where the
8 Electronic Frontier Foundation actually used to be in that
9 building. So, I would just cut up that way, on the other side of
10 the street, and I'd see him sometimes. I mean, like I said, he
11 seemed harmless enough to me. I'd never seen him do anything
12 like brandishing a knife. I saw him brandishing a soccer ball.

13 INV. WECHTER: Uh-huh.

14 [REDACTED]: So, that's about it.

15 INV. WECHTER: Do you remember what he was wearing that
16 day? Can you tell me anything about his clothing?

17 [REDACTED]: See, I remember his face being very [ruddy]
18 that day, like he was on the ground, and his cheeks were
19 flushed, and on the ground. I'm trying to remember if I can
20 actually remember what he was wearing. It's like his cheeks were
21 flushed and I saw his hair. And I didn't even know actually, I
22 didn't know that he was Latino, because I never talked to him,
23 I'd only seen him. And I remember looking and thinking,
24 [unintelligible], "Well, he's not black. I can't tell if he's
25 white or Hispanic," and I remember looking, thinking, you know,
26 that I couldn't really tell.

27 INV. WECHTER: Uh-huh.

28 [REDACTED]: But no. I want to say, and this is like, I

1 | could be completely incorrect, but he might have had some kind
2 | of, I don't know if it was flannel, but striped, like the
3 | checked-striped, that kind of...

4 | INV. WECHTER: Shirt?

5 | [REDACTED]: Yeah. A shirt, like a buttoned-down shirt with
6 | a collar, and there was red in it. That's what I seem to
7 | remember. I have no idea if that's absolutely correct, but
8 | that's what I remember.

9 | INV. WECHTER: Okay.

10 | [REDACTED]: Yeah.

11 | INV. WECHTER: Anything I haven't asked you?

12 | SYDELL: I'm just trying to think if there's anything
13 | else I remember from that day. Yeah. I don't know who the other
14 | guy was who heard the gunshots that day. When I was walking,
15 | there was another person there, and I just, he didn't give me
16 | his name, and I don't know if he went back. I think he was more
17 | freaked out, and just went the other way. It's possible. I don't
18 | know if he walked back with me.

19 | INV. WECHTER: You didn't hear any shouting or yelling
20 | coming from around the corner, before the gunshots?

21 | [REDACTED]: It would be hard to hear. Like if people
22 | are...unless somebody was like screaming really loudly, you
23 | wouldn't hear it. Like as you're rounding that corner, you just,
24 | you wouldn't. They would have had to been yelling pretty loudly.

25 | INV. WECHTER: And when you got to the corner, I'm sorry
26 | if I interrupted you. I asked you if there was anything else I
27 | hadn't asked you. Do you remember seeing any homeless people on
28 | that corner looking down?

1 [REDACTED]: No. No, I don't remember that. I mean, it was
2 as I, as you, no, I don't actually remember, not on this side; I
3 didn't see anything. It's just kind of like when you do
4 something every day, it's amazing how much you just overlook. So
5 little I remember, other than having to happen to notice the cop
6 cars, because then, when I heard the shots, I started to think
7 about it.

8 INV. WECHTER: I wonder if you remember him? There was a
9 homeless man, who was in a tent on the north side of 19th.

10 [REDACTED]: Uh-huh.

11 INV. WECHTER: Slightly east of Shotwell, maybe two or
12 three tents in. A Hispanic man about 50, maybe five, feet five
13 inches tall.

14 [REDACTED]: Uh-huh?

15 INV. WECHTER: Do you remember seeing him?

16 [REDACTED]: So, you mean he was in the homeless group on
17 the site?

18 INV. WECHTER: Yes, that had moved out.

19 [REDACTED]: Uh, yeah.

20 INV. WECHTER: A week or so later.

21 [REDACTED]: Yeah. I don't, I don't remember. I mean, there
22 were homeless people there, because there have always been
23 homeless people there.

24 INV. WECHTER: Somebody, Carlos? Does that...

25 [REDACTED]: No, it doesn't ring a bell.

26 INV. WECHTER: Okay. Anything else, since is the time to
27 [inaudible].

28 [REDACTED]: You know, if I think of anything, I'll

1 | certainly let you know.

2 | INV. WECHTER: Okay.

3 | [REDACTED]: But I can't, I don't think, I can't think of

4 | anything else right now. You know? It was just a fairly typical

5 | morning, until that happened. Yeah. I mean at first, there was a

6 | moment when I thought maybe it was a gang shooting, because

7 | we've had those in our neighborhood here, [inaudible].

8 | INV. WECHTER: Yeah.

9 | [REDACTED]: So anyway, I hope that's some minor help.

10 | INV. WECHTER: Yeah. If you can email me those two

11 | photos in the larger size?

12 | [REDACTED] Yeah.

13 | INV. WECHTER: They will forward to me, and I can see if

14 | I can see them.

15 | [REDACTED]: Do I have your email?

16 | INV. WECHTER: Let me give it to you. It's J...

17 | [REDACTED]: Let me just actually, it's when I send this

18 | one, because this one, if you can get, zero in on that.

19 | INV. WECHTER: Yes, that's what I want to see if I can

20 | get it to see a little better.

21 | [REDACTED]: Just looking, you can really, it gives you a

22 | kind of, you know, right. So, what is your email?

23 | INV. WECHTER: It's [REDACTED], spelled [REDACTED]

24 | [REDACTED]

25 | [REDACTED]: [REDACTED]

26 | INV. WECHTER: Yeah, that's it there. I'll give you my

27 | card. So, can you send me the largest size?

28 | [REDACTED]: I will, I'll send them in the actual size.

1 INV. WECHTER: Yeah.
2 [REDACTED]: I mean somebody who knows how to blow things
3 up.
4 INV. WECHTER: We have an IT person.
5 [REDACTED]: Yeah, who probably can, might be able to get a
6 better look at what's going on there in the distance at that
7 moment. And I'll send you the one, you want the one with the
8 knife? Is that the other one you wanted?
9 INV. WECHTER: Yes.
10 [REDACTED]: Let's see here. If I can just find it. Yeah,
11 there it is.
12 INV. WECHTER: [Unintelligible]?
13 [REDACTED]: Yes, that's it. Let me see if I can get this
14 one. It's interesting, it's not pulling you up right away. It's
15 [REDACTED], w-
16 INV. WECHTER: It's right there.
17 [REDACTED]: Yeah. [REDACTED]
18 INV. WECHTER: [REDACTED]
19 [REDACTED]: [REDACTED]. Okay. And photo. All righty. At,
20 is it at [REDACTED]?
21 INV. WECHTER: Yes.
22 [REDACTED]: Uh, come on. [REDACTED]
23 [REDACTED]?
24 INV. WECHTER: Yes.
25 [REDACTED]: All right. All right. I think that should go
26 through now. I mean, I think, I was just trying to see if in
27 this picture there are still...yeah. That was before they took the
28 body away.

1 INV. WECHTER: And I got the second photo. And do you
2 have any photos showing the positioning of vehicles on the
3 street?

4 [REDACTED]: Let me see. It's an issue, let me see if any of
5 these... These are all him taken away. It's interesting. Yeah, I
6 don't really have much that shows anything in particular about
7 the vehicles. I think those are the shots that probably are, you
8 know, because this, that one I sent you. Did I send you that
9 one? No, I don't think I sent you that one, which is also, gives
10 you the background going on there. I mean, you can see the
11 vehicles back there.

12 INV. WECHTER: And why don't you send me that one also?

13 [REDACTED]: Yeah. So, that could be of some help with your
14 technical guy. Now, just please, I have remembered, [REDACTED],
15 that's interesting. I wonder why it just won't remember; it
16 doesn't seem to want to remember you. [REDACTED], are you
17 sure you're really from the government?

18 INV. WECHTER: They issue my paycheck, so...

19 [REDACTED]: Yeah. So, that's a good sign that you're really
20 from the government. All right. There you go. And I just keep
21 sending them actual size, so it's about as big as it's going to
22 get. And I sent you that one, yeah, that one. Yeah. And the rest
23 is just him being taken away, poor fellow.

24 INV. WECHTER: [Inaudible.]

25 [REDACTED]: Yeah. Yeah, if I think of, you know, anything
26 else, but I think that's all I know.

27 INV. WECHTER: Yeah. I don't [have the names of people],
28 this happened a while ago, just as you know, it's a journalistic

1 process of talking about something. They jog your recollection,
2 half an hour later, I think of something.

3 [REDACTED]: Yeah, something, something else. Yeah. So, but
4 that's about all I know. What was I going to ask you? So this,
5 you put a report on it, and then decide whether or not?

6 INV. WECHTER: We look at all the evidence. It's not my
7 decision alone.

8 [REDACTED]: Yeah.

9 INV. WECHTER: It's [unintelligible] of the office of
10 attorneys there, we have a director.

11 [REDACTED]: Yeah.

12 INV. WECHTER: And ultimately, the agency as a whole,
13 make an evaluation.

14 [REDACTED]: Yeah.

15 INV. WECHTER: A recommendation of their finding.

16 [REDACTED]: Yeah.

17 INV. WECHTER: A [regular] finding.

18 [REDACTED]: Yeah.

19 INV. WECHTER: Which would need to be sustained if we
20 found that an officer did violate Department regulations or
21 relevant laws.

22 [REDACTED]: Right.

23 INV. WECHTER: Or not sustained, meaning there's
24 insufficient evidence to determine that [improper] conduct, the
25 action did occur, but it was within policy.

26 [REDACTED]: Uh-huh.

27 INV. WECHTER: Or either option, it was unfounded.

28 [REDACTED]: Right.

1 INV. WECHTER: I'm [not] speaking generally, meaning it
2 not happen.

3 [REDACTED]: Yeah.

4 INV. WECHTER: And if we sustain an allegation, we send
5 that on to the Chief of Police, who has the authority to
6 discipline an officer for up to a ten-day suspension.

7 [REDACTED]: Right.

8 INV. WECHTER: Or the Police Commission, which can
9 impose a greater discipline, up to and including termination.
10 Which, we also have the power to make policy recommendations and
11 changes to the Police Department policies and procedures.

12 [REDACTED]: I see.

13 INV. WECHTER: Something we've had quite a lot of
14 success in that area most recently, in the issue of language
15 access.

16 [REDACTED]: Yeah.

17 INV. WECHTER: [Unintelligible] that officers have a
18 qualified, certified interpreter out to the scene where they use
19 Language Line. To have a certified interpreter on the phone,
20 rather than using, say, a friend or a sibling, the child of
21 someone on the street, who may not be accurately translating.

22 [REDACTED]: Yeah. I mean I know, you know, I know when
23 people...I sense on that video they posted on sfgate, which was so
24 rapid, it only made me as a citizen—as a citizen, I wanted
25 [unintelligible]. I didn't like the idea of police firing like
26 that in an area where there are so many civilians, it makes me
27 extremely nervous, as somebody who lives here, and might have
28 taken a slightly different you know. A million different ways in

1 | which I just suddenly was like, whew, God.

2 | And I think the other thing is because it seems to have
3 | unfolded so fast, and they had guns and he only had a knife, I
4 | wondered if there wasn't...I mean, I have empathy for the police,
5 | it's a hard job, but if they couldn't have done things to
6 | de-escalate it, rather than escalate it. I mean, that's the
7 | other thing. It didn't seem like there was anyone he was, I
8 | don't know, anybody near there when I saw, who might have been
9 | in danger because of the knife.

10 | So, I don't know. It just struck me as like, well maybe,
11 | maybe it just would have been better if they had stayed in their
12 | cars, or shouted at him with a bullhorn to try and get him to...I
13 | don't know. I don't understand why it escalated so fast. I'm
14 | confused by that. So, that's my, as a citizen who lives on this
15 | block, I'm not comfortable with the way that happened on my
16 | block. But I don't, again, I didn't actually see it, and I
17 | didn't see the knife, and he most certainly had a very, it would
18 | appear...I mean, who knows? Police plant things, so I don't know,
19 | but I did see a knife there.

20 | INV. WECHTER: Right. So, the police did have a Town
21 | Hall meeting the following Wednesday.

22 | [REDACTED]: They did.

23 | INV. WECHTER: At the Laborer's Hall up the street.

24 | [REDACTED]: Yes.

25 | INV. WECHTER: And the Chief of Police provided some
26 | information there.

27 | [REDACTED]: Yes.

28 | INV. WECHTER: And it's probably in the public record;

1 | they may have that online, and they presented some charts.

2 | [REDACTED]: Yeah.

3 | INV. WECHTER: Some posters with photographs of that
4 | incident.

5 | [REDACTED]: Yeah, I mean, I guess so. It's like I said,
6 | just as a citizen, I just didn't like, don't like to see
7 | gunfire, random gunfire—not that this was random. But just,
8 | there were so many shots that got fired too. It's just,
9 | something about it made me very uncomfortable.

10 | INV. WECHTER: I'm sure the sound of gunshots, to anyone
11 | [inaudible], unless you're at a shooting range.

12 | [REDACTED]: Yeah. And if I, I'll keep your card, and if I
13 | think of anything else, yeah, I'll call you.

14 | INV. WECHTER: Thanks.

15 | [REDACTED]: All right?

16 | INV. WECHTER: All right. We'll conclude this interview.
17 | It's now 3:33 p.m.

18 | **END OF DOCUMENT**

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